

REMARKS

Claim 1 is pending in the application. Claim 1 was rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,101,166. Both the present application and U.S. Patent No. 6,101,166 are commonly owned by Emulex Design & Manufacturing Corporation. A terminal disclaimer is being filed herewith.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5752 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. **491442007511**.

Dated: October 10, 2005

Respectfully submitted,

By 
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Enclosure: Terminal Disclaimer